

Message

From: Grow, Richard [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=F9BE7A2DDE6B42FB832CA9B138892F27-RGROW]
Sent: 10/5/2016 12:54:04 AM
To: Miller, Amy [Miller.Amy@epa.gov]; Reyes, Deldi [Reyes.Deldi@epa.gov]
Subject: Clarity regarding USDA and Hawaii complaint

Amy & Deldi

Ex. 5 Deliberative Process (DP)

Richard

From: Grow, Richard
Sent: Thursday, September 15, 2016 3:40 PM
To: Miller, Amy
Cc: Reyes, Deldi
Subject: Further: Opportunity ? Complaint Under Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, 40 C.F.R. Part 7, and 7 C.F.R. Part 15

Amy (cc Deldi)

Ex. 5 Deliberative Process (DP)

Richard

From: Grow, Richard

Sent: Thursday, September 15, 2016 8:18 AM

To: Miller, Amy <Miller.Amy@epa.gov>

Cc: Reyes, Deldi <Reyes.Deldi@epa.gov>

Subject: RE: Opportunity ? Complaint Under Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, 40 C.F.R. Part 7, and 7 C.F.R. Part 15

Amy (cc Deldi)

Good to know.

My hope would be that for this complaint, in contrast to how the process has gone on the backlog cases, there would be time and will to take a more systematic and collaborative approach within the agency, and (he said naively) perhaps even at the interagency level. As clumsily as the internal process has gone up until now (my view) there are bases upon which to come up with a more coordinated approach this time –

- Order 4701, the “Title VI Case Management Protocol” describing the internal processes, in place since May, 2013 but I have yet to see it used. Beginning on p3 a 12 step process is laid out for HQ to work with the Regional office and other programs as needed in resolving complaints.
- “Interim Case Resolution Manual”, December, 2015, often cited by OCR but, again and in my view, not really being applied. Nevertheless there is some discussion in section 1.3 (p4) on coordination between OCR and Regions. More detailed discussion in Chapter 8’s description of Case Management Plans. The CRM is available at https://www.epa.gov/sites/production/files/2015-12/documents/ocr_crm_final.pdf

Interim Case Resolution Manual: Executive Summary

www.epa.gov

1 2 Interim Case Resolution Manual: Executive Summary December 1, 2015 Background The U.S. Environmental Protection Agency's (EPA's) Office of Civil ...

Ex. 5 Deliberative Process (DP)

Apologies for any toes stepped on or over, but with OCR so overextended of late I felt it was worth some discomfort to see if we can get a process in place that can meet the needs of the issues on the table.

RG

From: Miller, Amy

Sent: Wednesday, September 14, 2016 8:50 PM

To: Grow, Richard <Grow.Richard@epa.gov>

Cc: Reyes, Deldi <Reyes.Deldi@epa.gov>

Subject: Re: Opportunity ? Complaint Under Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, 40 C.F.R. Part 7, and 7 C.F.R. Part 15

Interesting view on this Richard. I am very familiar with the facts. I would love to talk more with you and Deldi about this.

Sent from my iPhone

On Sep 14, 2016, at 5:10 PM, Grow, Richard <Grow.Richard@epa.gov> wrote:

Deldi (cc Amy)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Richard

From: Miller, Amy
Sent: Wednesday, September 14, 2016 3:27 PM
To: Reyes, Deldi <Reyes.Deldi@epa.gov>; Johnson, Kathleen <Johnson.Kathleen@epa.gov>;
 TROMBADORE, CLAIRE <Trombadore.Claire@epa.gov>
Subject: Fwd: Complaint Under Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, 40 C.F.R. Part 7, and 7 C.F.R. Part 15

Sent from my iPhone

Begin forwarded message:

From: "Strauss, Alexis" <Strauss.Alexis@epa.gov>
To: "Miller, Amy" <Miller.Amy@epa.gov>, "Quast, Sylvia" <Quast.Sylvia@epa.gov>
Cc: "Kao, Jessica" <Kao.Jessica@epa.gov>, "Torres, Tomas" <Torres.Tomas@epa.gov>, "Smith, DavidW" <Smith.DavidW@epa.gov>, "Goforth, Kathleen" <Goforth.Kathleen@epa.gov>, "Taylor, Katherine" <Taylor.Katherine@epa.gov>, "Spiegelman, Nina" <Spiegelman.Nina@epa.gov>
Subject: FW: Complaint Under Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, 40 C.F.R. Part 7, and 7 C.F.R. Part 15

Please read. Note CWA and FIFRA focus.

From: Julie Parks [<mailto:jparks@earthjustice.org>]
Sent: Wednesday, September 14, 2016 3:10 PM
To: Title VI Complaints <Title_VI_Complaints@epa.gov>; Daria Neal (daria.neal@usdoj.gov) <daria.neal@usdoj.gov>; Joe Leonard Jr. Ph. D (program.intake@usda.gov) <program.intake@usda.gov>
Cc: Paul Achitoff <achitoff@earthjustice.org>; Kylie Wager <kwager@earthjustice.org>; McCarthy, Gina <McCarthy.Gina@epa.gov>; Tom Vilsack (tom.vilsack@usda.gov) <tom.vilsack@usda.gov>; Strauss, Alexis <Strauss.Alexis@epa.gov>
Subject: Complaint Under Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, 40 C.F.R. Part 7, and 7 C.F.R. Part 15

Dear Acting Director Dorka, Assistant Secretary Leonard, and Deputy Chief Neal:

On behalf of Paul Achitoff and Kylie Wager of Earthjustice, please find The Moms On a Mission Hui and Pō'ai Wai Ola/West Kaua'i Watershed Alliance's Title VI complaint and exhibits, attached.

Sincerely,

Julie Parks
Litigation Assistant
Earthjustice Mid-Pacific Office
850 Richards Street, Suite 400
Honolulu, HI 96813
T: 808.599.2436
F: 808.521.6841
earthjustice.org<<http://www.earthjustice.org/>>

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Because the earth needs a good lawyer

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<Title VI Complaint and Exhibits.pdf>